

Operators must use state vehicles only for conducting state business and not for personal use. Commuting is defined as a state employee driving a state vehicle to and from his or her residence and place of employment. This practice is considered using a state vehicle for personal use, which is a violation of state law. Vehicles should not be taken to personal residences for overnight parking. (NDCC 39-01-03) If commuting has been approved (SFN19525) by State Fleet, for official State business, agencies must comply with IRS publication 15-B to apply possible fringe benefits. The state owned vehicle may NOT be parked in a garage at a personal residence, rental unit or multi-unit apartment complex, unless approved according to the criteria listed below.

State agencies/institutions with responsibilities requiring 24-hour response to emergencies may instruct employees that are needed for those emergency contingencies, to commute for official State business only. Use of the state owned vehicle by any non-state employee is prohibited. If necessary and approved by the agency to fulfill emergency job responsibilities or to facilitate critical agency functions, the state owned vehicle may be parked in a personal residence garage (when not in official use) after an assessment of the structure and surrounding area has been conducted by the employee and the supervisor. The assessment form (SFN 58652) must be kept on file at the agency as long as the vehicle is being garaged. The garage and surroundings must be reassessed annually. The agency must verify the employee maintains insurance on the structure and may not approve the use of any garage attached to a multi-unit building.